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Agenda item 110 (b)
**Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms**

**South Africa* and China: draft resolution**

# Right to development

*The General Assembly,*

*Recalling* its previous resolutions and those of the Commission on Human Rights relating to the right to development, including its resolution 52/136 of 12 December 1997 and Commission on Human Rights resolution 1998/72 of 22 April 1998,[1]

*Emphasizing* that the promotion, protection and realization of the right to development is an integral part of the promotion and protection of all human rights,

*Recalling* that, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights, and recognizing that all human rights are universal, indivisible, interdependent and interrelated, and that the universality, objectivity, impartiality and non-selectivity of the consideration of human rights issues must be ensured,

*Expressing its concern* that, on the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights,[2] the unacceptable situation of absolute poverty, hunger, disease, lack of adequate shelter, illiteracy and hopelessness remains the lot of over one billion people,

*Reaffirming* the commitment contained in the Charter of the United Nations to promote social progress and better standards of life in larger freedom,

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* On behalf of States Members of the United Nations that are members of the Movement of Non-Aligned Countries.

[1] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23–E/CN.4/1998/177), chap. II, sect. A.

[2] Resolution 217 A (III).

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*Recalling* the principles proclaimed in the Rio Declaration on Environment and Development of 14 June 1992,[3] and taking note of the deliberations of the General Assembly at its nineteenth special session,

*Noting with concern* that, in this regard, while a number of positive results have been achieved, the overall trends with respect to sustainable development are worse today than they were in 1992,

*Mindful* that the Commission on Human Rights continues to consider this matter and, by its resolution 1998/72, established a follow-up mechanism, initially for a period of three years,

*Noting* the need for improved coordination and cooperation throughout the United Nations system for more effective promotion and realization of the right to development,

*Recognizing* that the Office of the United Nations High Commissioner for Human Rights has an important role to play in the promotion, protection and realization of the right to development, including in seeking enhanced support from the relevant bodies of the United Nations system for this purpose,

*Reaffirming* that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level,

*Recognizing* that the implementation of the Declaration on the Right to Development[4] requires effective development policies and support at the international level through the effective contribution of States, organs and organizations of the United Nations system and non-governmental organizations active in this field,

*Reaffirming* the need for action by all States at the national and international levels for the realization of all human rights and the need for relevant evaluation mechanisms to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development,

*Expressing its concern* that, more than ten years after the adoption of the Declaration on the Right to Development, obstacles to the realization of the right to development still persist at both the national and international levels, that new obstacles to the rights stated therein have emerged, including, *inter alia*, the negative effects of globalization on the right to development, particularly in developing countries, and that the progress made in removing these obstacles remains precarious and transient,

*Expressing also its concern* that the Declaration on the Right to Development is insufficiently disseminated and should be taken into account, as appropriate, in bilateral and multilateral cooperation programmes, national development strategies and policies and activities of international organizations,

*Having considered* the report by the Secretary-General on the right to development,[5] prepared in pursuant to General Assembly resolution 52/136,

1. *Takes note* of the report of the Secretary General on the right to development;[5]

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[3] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex I.

[4] Resolution 41/128, annex.

[5] A/53/268.

2. *Reaffirms* the importance of the right to development, as established in the Declaration on the Right to Development,[4] for every human person and for all peoples in all countries, in particular the developing countries, as an integral part of fundamental human rights, as well as the potential contribution its realization could make to the full enjoyment of human rights and fundamental freedoms;

3. *Recognizes* that the Declaration on the Right to Development constitutes an integral link between the Universal Declaration of Human Rights[2] and the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[6] through its elaboration of a holistic vision integrating economic, social and cultural rights with civil and political rights;

4. *Reiterates* the importance of the Vienna Declaration and Programme for Action, which reaffirms the right to development, as established by the Declaration on the Right to Development, as a universal and inalienable right and an integral part of fundamental human rights;

5. *Reaffirms* that democracy, development and respect for all human rights and fundamental freedoms, including the right to development, are interdependent and mutually reinforcing and, in this context, affirms that:

(a) Democracy, which is spreading everywhere, has raised development expectations everywhere, that their non-fulfilment risks the rekindling of non-democratic forces and that structural reforms that do not take social realities into account could destabilize the processes of democratization;

(b) Effective popular participation is an essential component of successful and lasting development;

(c) Democracy, respect for all human rights and fundamental freedoms, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society are an essential part of the necessary foundations for the realization of social- and people-centred sustainable development;

(d) The participation of developing countries in the international economic decision-making process needs to be broadened and strengthened;

6. *Reaffirms also* that democracy, development and respect for all human rights and fundamental freedoms would be strengthened by enhanced international cooperation for development;

7. *Reiterates* that the existence of widespread poverty, in particular extreme poverty, inhibits the full and effective enjoyment of human rights and renders democracy and popular participation fragile;

8. *Emphasizes* that the serious problem of the foreign debt burden remains one of the most critical factors adversely affecting economic, social, scientific and technical development and living standards in many developing countries, with serious effects of a social nature;

9. *Reiterates* the request of the Commission on Human Rights to the United Nations High Commissioner for Human Rights to pay particular attention to the problem of the debt burden of developing countries, in particular the least developed countries, and especially the social impact of the measures arising from the foreign debt;

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[6] A/CONF.157/24 (Part I), chap. III.

10. *Expresses* its concern that official development assistance has fallen for five consecutive years, from 0.33 per cent in 1992 to 0.22 per cent in 1997, its lowest level ever, with serious consequences for the realization of the right to development in developing countries, and urges the developed countries to reverse this trend in accordance with the commitment undertaken to fulfil as soon as possible the agreed United Nations target of 0.7 per cent of their gross national product for overall official development assistance;

11. *Calls upon* the developed countries to mobilize further resources for development assistance in a spirit of cooperation and solidarity;

12. *Affirms* the need to apply a gender perspective in the implementation of the right to development, *inter alia*, by ensuring that women play an active role in the development process, and *emphasizes* that the empowerment of women and their full participation on a basis of equality in all spheres of society is fundamental for development;

13. *Expresses its concern* that, while developing countries constitute the majority of the membership of the international economic, monetary and financial institutions which form an integral part of the decision-making process at the global level on macroeconomic policy issues, their institutionalized lack of participation therein has far-reaching impacts on the world economy, often with negative implications for the exercise of the right to development in developing countries;

14. *Expresses also its concern* that the volatility of short-term capital flows and the weaknesses of the international financial system can have negative consequences on the realization of the right to development;

15. *Notes* the negative effects of the current international financial crisis on the full enjoyment of the economic, social and cultural rights of the peoples of affected countries, in particular the right to food, health, education and work;

16. *Welcomes* the intention of the Secretary-General to give high priority to the right to development and urges all States to promote further the right to development as a vital element in a balanced human rights programme;

17. *Notes* that measures taken for the promotion and realization of the right to development should be more effective, and calls upon the United Nations High Commissioner for Human Rights to explore further ways and means to achieve this objective;

18. *Requests* the Secretary-General to inform the Commission on Human Rights at its fifty-fifth session and the General Assembly at its fifty-fourth session of the activities of the organizations, funds, programmes and specialized agencies of the United Nations system for the implementation of the Declaration on the Right to Development, as well as obstacles identified by them to the realization of the right to development;

19. *Affirms* that international cooperation is acknowledged more than ever as a necessity deriving from recognized mutual interest, and therefore that such cooperation be strengthened in order to support the efforts of developing countries to solve their social and economic problems and to fulfil their obligations to promote and protect all human rights;

20. *Calls upon* the Commission on Human Rights to continue to make proposals to the General Assembly, through the Economic and Social Council, on the future course of action on the question, in particular on practical measures for the implementation and enhancement of the Declaration on the Right to Development, including comprehensive and effective measures to eliminate obstacles to its implementation;

21. *Recognizes* that the fiftieth anniversary of the Universal Declaration of Human Rights provides an important opportunity to place all human rights at the top of the human rights agenda, and in this context, the right to development in particular;

22. *Decides*, on the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights, to include the Declaration on the Right to Development in the International Bill of Human Rights;

23. *Calls upon* the Secretary-General to take the necessary measures in this regard, *inter alia*, through the publication of the modified International Bill of Human Rights and to ensure the widespread dissemination thereof;

24. *Urges* States to give consideration to the preparation of a convention on the right to development as one of the important steps towards the effective realization of the right to development;

25. *Encourages* all States to address, within the declarations and programmes of action adopted by the relevant international conferences convened by the United Nations, the elements for the promotion and protection of the principles of the right to development as set out in the Declaration on the Right to Development;

26. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-fourth session;

27. *Decides* to consider this question at its fifty-fourth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".